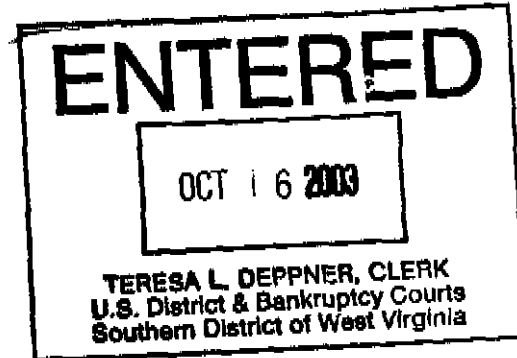


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

PENNY KENNEDY, and
RAYMOND KENNEDY, individually
and as guardians and next
friends of
TREVOR KENNEDY, an infant
under the age of eighteen,

Plaintiffs,



v.

CIVIL ACTION NO. 2:03-0175

UNITED STATES OF AMERICA;
COMMUNITY HEALTH FOUNDATION OF
MAN, WEST VIRGINIA, INC., and
PLARIDEL TORDILLA, individually,

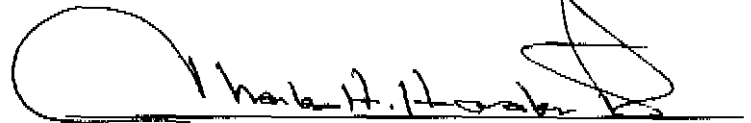
Defendants.

AGREED ORDER

COME now plaintiffs, by their counsel, Samuel Hrko, Esquire,
and the United States of America, ("United States"), by its
counsel, Stephen M. Horn, Assistant United States Attorney, and do
hereby stipulate and agree that Count VI of the Amended Complaint
against the United States is hereby dismissed.

Now, therefore, based upon the representations of counsel the
court does hereby ORDER that Count VI of the Amended Complaint is
hereby dismissed against the United States. The court does hereby
further ORDER that the Clerk send a copy of this order to counsel
of record.

ENTER this 16th day of ~~August~~^{October}, 2003.



CHARLES H. HADEN II
United States District Judge

ORDER PREPARED BY:



STEPHEN M. HORN
Assistant United States Attorney
P.O. Box 1713
Charleston, WV 25326
(304) 345-2200

Counsel for United States

SEEN AND APPROVED BY:



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RAYMOND KENNEDY, individually
and as guardians and next
friends of TREVOR KENNEDY, an infant
under the age of eighteen,

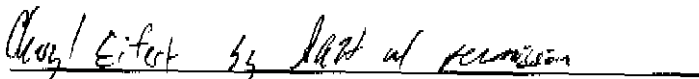
SEEN BY:



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InPhyNet
Counsel for ~~Infant~~ Hospital Services, Inc.
and Dr. Gordon J. Green

SEEN BY:



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P.O. Box 3669
Charleston, WV 25336

Counsel for Charleston Area Medical Center,
Inc., Individually and d/b/a Womens and
Childrens Hospital, d/b/a CAMC Childrens
Hospital, d/b/a CAMC Womens Hospital,
and d/b/a CAMC Womens and Hospital